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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/019,614	02/06/1998	ARI KOSKI	460-007777-U	2231

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FAIRFIELD, CT 06824

EXAMINER

GRIER, LAURA A

ART UNIT PAPER NUMBER

2644

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/019,614	KOSKI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Laura A Grier	2644	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 October 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong et al. and Schwartz, U. S. Patent 4823391.

Regarding **claim 1 and 5**, Wong et al. (herein, Wong) discloses an electronic device with equalized audio accessory and method for same. Wong discloses in figure 2 a portable radio communication an electronic device comprising a DSP (digital signal processor) - reference 206; coupled to an accessory device-reference 120, which constitutes at least one auxiliary device connection for connecting an auxiliary device; the accessory device stores audio parameters (column 3, lines 5-8) that are load into the DSP, and further supports two-way communication of data as disclosed in col. 3, lines 9-24 and further in col. 2, lines 52-57. Wong discloses an accessory device that includes an accessory circuit that enables the functions of the accessory, in

which the accessory performs processes such as transmitting and receiving data to the electronic device. However, Wong fails to disclose a micro controller in the accessory (auxiliary) device.

Regarding the micro controller, Schwartz discloses a sound reproduction system comprising a speaker with a micro controller for providing two-way communication between the speakers and another audio device for transmission of acoustical/audio characteristics (col. 3, lines 52-63 and figure 1), which indicates a micro controller in an auxiliary device.

Thus, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Wong by implementing a micro controller in the accessory device of Wong (which may be a speaker, microphone or the like) for the purpose of enabling two-communication between the speaker and audio device (electronic) to improve the acoustical and listening (sound) characteristics of the device.

Regarding **claim 2**, Wong and Schwartz (Wong) further disclose radio accessory interface-reference 115, accessory device-reference 120 via the RAI for storing audio parameters (column 2, last paragraph) that are load into the DSP.

Regarding **claim 3**, Wong and Schwartz (Wong) further disclose radio accessory interface-reference 115 via signal lines 250 and 240 (figure 2) to accessory device-reference 120 with memory-reference 220 for storing audio parameters (column 2, last paragraph) that are load into the DSP.

Regarding **claim 4**, Wong and Schwartz. (Wong) further disclose radio accessory interface-reference 115 via signal lines 250 and 240 (figure 2) to accessory device-reference 120 with memory-reference 220 (columns 2, last paragraph – column 3, line 5), which is indicative of

a detection line and a connection bus transferring information between the electronic device and accessory device.

Regarding **claim 6**, Wong and Schwartz disclose everything claimed as applied above (see claim 5). Wong further discloses radio accessory interface-reference 115 via signal lines 250 and 240 (figure 2) to accessory device-reference 120 with memory-reference 220 (columns 2, last paragraph – column 3, line 5), which is indicative of a detection line and a connection bus transferring information between the electronic device and accessory device.

Regarding **claims 7 and 8**, Wong and Schwartz disclose everything claimed as applied above (see claim 5). However, Wong further discloses a transmitter/receiver unit of a mobile station figure 2-reference 110.

Regarding **claim 9**, Wong and Schwartz disclose everything claimed as applied above (see claim 8). Wong et al. discloses an accessory device with a microphone and speaker (figure 1-references 120 and 130).

Regarding **claim 10**, Wong and Schwartz (Wong) further discloses (column 2, 2nd and last paragraph, column 4, line 40-45) indication of the parameters characterizing the accessory device.

Regarding **claim 11**, Wong and Schwartz (Wong) further discloses the DSP receiving audio parameters from the accessory device (figure 2 and column 3, 2nd paragraph).

Regarding **claim 12**, Wong and Schwartz (Wong) further discloses (column 2, 2nd and last paragraph, column 4, line 40-45) indication of the parameters characterizing the accessory device.

Regarding **claim 13**, Wong and Schwartz (Wong). further discloses the DSP receiving audio parameters from the accessory device (figure 2 and column 3, 2nd paragraph).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

The applicant essential provides arguments that Wong et al.'s accessory (auxiliary) device fails to comprise a micro controller to conduct two-way communication. A new reference of prior art has been provided to modify the teachings of Wong (Wong discloses the accessory device as being a speaker, microphone or the like) by disclose a speaker comprising a micro controller for providing two way communication with an audio device, wherein, the new reference of prior art indicates that various embodiments of the teaching of his invention may be implemented. Thus, it was obvious to one of ordinary skill to implement a micro controller in an auxiliary device.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura A Grier whose telephone number is (571) 272-7518. The examiner can normally be reached on Monday - Friday, 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh N Tran can be reached on (571) 272-7564. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2644

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Laura A. Grier

April 1, 2005